THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19824 of 2006

ORAL ORDER:

This writ petition is filed seeking Certiorari to call for the records relating to proceedings Roc.No.B/2131/2006 dated 15.9.2006 issued by the first respondent and quash the same as violative of principles of natural justice and contrary to A.P. Scheduled Commodities (Regulation of Distribution by Card System), 2001.

It appears, petitioner is the fair price shop dealer of Podalapalle HW, Chillamakulapalle village, S.R.Puram mandal, Chittoor district. While so, her authorization was suspended by the first respondent vide impugned proceedings dated 15.9.2006. Aggrieved by the same, the present writ petition is filed.

Prima facie, I am of the opinion that the allegations made against the petitioner are not only general, but are vague and no specific allegations were made against the petitioner. Under those circumstances, this Court while admitting the writ petition on 21.9.2006, granted interim suspension of the impugned order dated 15.9.2006.

The respondents filed a detailed counter along with vacate stay petition.

The impugned order does not show any specific allegations against the petitioner, except some general and vague allegations. However, the learned Government Pleader states that the petitioner without availing the alternative remedy of appeal, has directly approached this Court, therefore, the writ petition is liable to be dismissed.

I am of the opinion that in the impugned order, no specific

allegations were made against the petitioner. Even in the report of the Mandal Revenue Officer, no specific allegations were made against the petitioner and only some enumeration of some irregularities was made on mere suspicion and surmises.

However, I deem it appropriate to direct the petitioner to file regular statutory appeal before the Joint Collector, Chittoor district against the impugned order passed by the first respondent within three weeks from the date of receipt of a copy of this order. During the pendency of such appeal before the Joint Collector, the interim order passed by this Court in W.P.M.P.No.25007 of 2006 dated 21.9.2006 shall continue.

The writ petition is accordingly disposed of. No order as to costs.

_____

C.V.RAMULU,
J

Date: 8.12.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19824 of 2006

8.12.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19824 of 2006

Date: 8th December, 2006

Between:

Smt.V.Mariyamma

.. Petitioner

And

The Revenue Divisional Officer,
Chittoor, Chittor Revenue Divisional
Office, Chittoor district & another.

.. Respondents